

2003 DRAFTING REQUEST

Assembly Resolution

Received: **01/16/2003**

Received By: **rmarchan**

Wanted: **Today**

Identical to LRB:

For: **Steven Foti (608) 266-2401**

By/Representing: **bob**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

Addl. Drafters: **jkreye**

Subject: **Lcislature - rules**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Foti@legis.state.wi.us**

Carbon copy (CC:) to: **robert.marchant@legis.state.wi.us**
joseph.kreye@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

Changes to Assembly Rules for start of session

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rmarchan 01/16/2003	kgilfoy 01/16/2003		_____			
/P1	jkreye 01/22/2003 pdykman	kgilfoy 01/22/2003	rschluet 01/17/2003	_____	mbarman 01/17/2003		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

01/22/2003

/1

chaskett
01/22/2003

amentkow
01/22/2003

mbarman
01/23/2003

FE Sent For:

<END>

2003 DRAFTING REQUEST

Assembly Resolution

Received: 01/16/2003

Received By: rmarchan

Wanted: Today

Identical to LRB:

For: Steven Foti (608) 266-2401

By/Representing: bob

This file may be shown to any legislator: NO

Drafter: rmarchan

May Contact:

Addl. Drafters: jkreye

Subject: Legislature - rules

Extra Copies:

Submit via email: YES

Requester's email: Rep.Foti@legis.state.wi.us

Carbon copy (CC:) to: robert.marchant@legis.state.wi.us
joseph.kreye@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

Changes to Assembly Rules for start of session

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rmarchan 01/16/2003	kgilfoy 01/16/2003		_____			
/P1	jkreye 01/22/2003 pdykman	kgilfoy 01/22/2003	rschluet 01/17/2003	_____	mbarman 01/17/2003		

Jacketed

per
RJM
(rush)

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

01/22/2003

/1

chaskett
01/22/2003

amentkow
01/22/2003

FE Sent For:

<END>

2003 DRAFTING REQUEST

Assembly Resolution

Received: 01/16/2003

Received By: **rmarchan**

Wanted: **Today**

Identical to LRB:

For: **Steven Foti (608) 266-2401**

By/Representing: **bob**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

Addl. Drafters: **jkreye**

Subject: **Legislature - rules**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Foti@legis.state.wi.us**

Carbon copy (CC:) to: **robert.marchant@legis.state.wi.us**
joseph.kreye@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

Changes to Assembly Rules for start of session

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rmarchan 01/16/2003	kgilfoy 01/16/2003	10ph 1/22	1070ph 1/22			
/P1		1-1/22/03 hmg	rschluet 01/17/2003		mbarman 01/17/2003		

01/17/2003 01:32:23 PM

Page 2

LRB-1527

FE Sent For:

<END>

01/16/2003 09:04:13 AM

Page 1

2003 DRAFTING REQUEST**Assembly Resolution**

Received: 01/16/2003

Received By: **rmarchan**Wanted: **Today**

Identical to LRB:

For: **Steven Foti (608) 266-2401**By/Representing: **bob**This file may be shown to any legislator: **NO**Drafter: **rmarchan**

May Contact:

Addl. Drafters: **jkreye**Subject: **Legislature - rules**

Extra Copies:

PSDSubmit via email: **YES**Requester's email: **Rep.Foti@legis.state.wi.us**Carbon copy (CC:) to: **robert.marchant@legis.state.wi.us**
joseph.kreye@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

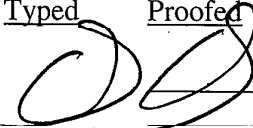
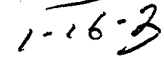
Changes to Assembly Rules for start of session

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

1?	rmarchan	1/16-1/16/03 King		 1-16-3	CPH		
----	----------	----------------------	---	---	-----	--	--

FE Sent For:

<END>

Proposed Changes to the Assembly Rules for the 2003-04 Biennium

Proposal	Submitted by	Comments/Response
Address members on the floor by their district number, not by their area of the state	Owens	
Give the judiciary committees the ability to investigate the executive branch. I believe it is fairly clear in the state constitution, but we will need to invoke this (as well as other impeachment/hearings and trials as per state constitution on any misdoings in agencies/budgets/ fraud etc.) This will require the Judicial Committee to take on a higher profile and higher professional role than in the past on executive check authorities.	McCormick	
Members must be able and be required to do a three-quote bid for newsletter production/design/mailling with in-district sources for newsletters/mailings. We cannot be tied to a bureaucratic notion with 2,000 less in our budgets.	McCormick	
Obviously the two-thirds vote override is the only protection we have against a too generous veto authority. Look into associated powers to check the executive authority to introduce legislation, special sessions and other related rules.	McCormick	
Require a super majority vote (two-thirds) in order to raise the income or sales tax, or to expand the base of the sales tax. Feel free to expand on this to add any other taxes or fees to the listing requiring that vote, if you so desire.	Ziegelbauer	He has already submitted a constitutional amendment related to this proposal
No member is allowed to memorialize Congress for any reason through an Assembly Resolution. <i>No AR, AR allowed, or SJR's memo. congress allowed</i>	Foti	Good one.
Members should be required to wear coats on the Assembly floor. <i>(Start session Central roll call vote)</i>	Jeskewitz	Wouldn't get enough votes?
Members should be in their chairs to vote, or at least at their places. <i>→ recorded as present and</i>	Jeskewitz	
Members must be at their places if the light says we are present.	Jeskewitz	
Starting on time is so important. But if we cannot begin on time, perhaps a five-minute warning and then we start.	Jeskewitz	
Calling a member to order in AR 58. It is not clear in AR 58 (3) "who should put in writing and when". This should be spelled out in 58(4). <i>Person who reports should be required to put in writing</i>	Hahn	As currently written, it is ambiguous. Do we want to clarify this?
No Assembly Bill should be considered unless it has been reported from committee two weeks prior to adjournment, and no Senate Bill should be considered unless it has been reported from committee one week prior to adjournment. Obviously, emergency measures could be taken up with suspension of the rules.	Kreuser	
Abolish the rule giving the majority the ability to stop a member from speaking. A two-thirds vote could still cut off debate in bizarre circumstances	Kreuser	No
Prohibit public committee hearing's on LRB-numbered bills since they are not available to the public.	Kreuser	

Prohibit paper ballot voting	Kreuser	This is useful for Assembly Org.
Assembly Rule 54 on germaneness should be modified in a way similar to the Senate Rule to allow meaningful relevant changes.	Kreuser	Whatever he means by "meaningful relevant changes" would likely limit our power.
Items that would not require a fiscal note if introduced as separate bills should be banned from the budget.	Kreuser	We have stated publicly many times that we won't put policy in the budget. The Gov. and Senate are on board with excluding policy from the budget.
Restore the pulling motion to the 8th order of business.	Kreuser	No
Require that all proposals be given a public hearing within 60 days after they are referred or re-referred to a committee. Proposals considered in special or extraordinary session do not require a hearing.	Saskunas/ Travis	This would limit our committee chair's power to hold up a bill.
Special Order of Business Language. There is not a rule authorizing a motion for a special order of business in the AR. However, we had special orders of business long before we ever had special order resolutions and some people seem to think that you can't have a special order of business without doing a resolution. The closet rule now is to postpone to a time certain.	Stigler/Pirlot <i>Allow members to do spec. ord. of bus. by motion not some rules of debate apply regarding whether by mot. or resol.</i>	Without it, we have more flexibility. Maybe ok?
Because it is common practice for the Assembly to stand informal or to recess for a meeting of the committee on rules, an exception to AR 12 should be added for that purpose. Note: AR 12 currently states "Committees not to meet during daily session. Except for conference committees, a committee may not meet while the assembly is in session."	Stigler/Pirlot <i>Allow Rules com. to meet.</i>	What about "dipping" a proposal in finance?
AR 55(2) "Sequence of considering amendments." Clarify the language: May a simple to a sub be considered after the sub is adopted? Also, may a simple be considered to a simple after the underlying simple is adopted?	Stigler/Pirlot	This doesn't come up often. We usually do allow it. Maybe a clarification makes sense?
AR 65(1) "Privileged and subsidiary motions and requests during debate." Change to make the motion to adjourn have the highest precedence (currently, a motion to adjourn is 3rd and motion to adjourn to a fixed time is 4th). Maybe a future ruling of the chair based on Mason's or Jefferson's will solve this issue. It is probably not desirable to have a long list of suspension motions made while we are trying to adjourn.	Stigler/Pirlot	Makes sense.
AR 74(3) "Tabling" Last session a point of order was raised on SB 55 (the budget) on the question of whether you can table a suspension of the rules motion to immediately message. AR 74(3) says that you may not table "procedural motions." The term "procedural" is not defined in our rules - should we define it?	Stigler/Pirlot	

01
hld

J

R

Add language in AR 73(2)(b) "Reconsidering." To also reconsider "failed to order to a third reading, failed to pass, failed to concur, failed to adopt." As written, a literal interpretation of the rule would not allow a motion to reconsider motions that failed. <i>Add to 7th order of business</i>	Stigler/Pirlot	
AR 73(9) Reconsidering. Insert "while the motion is pending" after 'proposal' and before 'which' for clarification. A strict reading of the rule as currently written could lead one to believe that, even after the reconsideration prevails, only one amendment may be offered and the amendment can only be offered by the maker of the reconsideration motion. According to John Scocos, the intent of the rule as written was to allow the clerk's staff to number and distribute a single amendment so that session would not be delayed by having to wait for the copying of the amendment after a motion for reconsideration prevailed. The rule should be clarified to reflect the intent that any number of amendments may be introduced after reconsideration prevails. This clarification would also be consistent with an earlier ruling by Freese. If changed, the rule would state: "When a motion to reconsider has been entered to return a proposal to the amendable stage, the maker of the motion , while the motion is pending, may offer <i>any member</i> a new amendment to that proposal, which shall be provided to the members. " <i>Must be made available to members before voting.</i>	Stigler/Pirlot	This probably wouldn't hurt to change/clarify.
Clarify AR 93(4) "Special, extended or extraordinary sessions" to read that in a special or extraordinary session, the bill gets referred to that day's calendar. As currently written, proposals are referred to the calendar 2 days out, but may still be taken up immediately. <i>OK</i>	Stigler/Pirlot	Would it hurt us to clarify this?
After consideration of all amendments, what happens if a bill is sent back to committee? Next time the bill is on the floor, must all amendments be considered again? Or, are they considered adopted beyond the reach of the committee?	Stigler/Pirlot	Generally treated as starting over when sent back to committee. Do we want to commit ourselves to one procedure here?
Uniform use of the term "session" Currently, it is used to mean at least 3 different things, depending on the context. For example, "session" means floorperiod in contrast to committee work period. It also refers to another part of a biennial session when modified by "regular," "special," "Extraordinary," or by "veto review." The Assembly Rules commonly use "in session" and often modify "session" by "daily" or to modify "day" to mean daily session or legislative day. As a result, there may be a difference between "in session" and "during session" depending on the context. "During session" may mean while the members are present on the floor or may mean the same as "in session"	Stigler/Pirlot/ Dykman	
Use the terms "actual day," "calendar day," and "legislative		

day" consistently in the Assembly Rules, the Joint Rules and the Constitution.		
Fiscal Estimates. Add a rule to allow Fiscal Bureau to prepare a Fiscal Estimate, if requested.	OK also check statute re Bob Long (get permission)	This would be useful if the administration is holding up legislation by not providing a timely FE or a biased FE.

by Speaker / presd officer.

R
(hold
per Bob K.
Haines)

Asstional days

From LRB -0053 /PI

For AR-99 strike without change

Do as a /PI

Proposed Changes to the Assembly Rules for the 2003-04 Biennium

Proposal	Submitted by	Comments/Response
Address members on the floor by their district number, not by their area of the state	Owens	IN
Give the judiciary committees the ability to investigate the executive branch. I believe it is fairly clear in the state constitution, but we will need to invoke this (as well as other impeachment hearings and trials as per state constitution on any misdoings in agencies/budgets/ fraud etc.) This will require the Judicial Committee to take on a higher profile and higher professional role than in the past on executive check authorities.	McCormick	out
Members must be able and be required to do a three-quote bid for newsletter production/design/ mailing with in-district sources for newsletters/mailings. We cannot be tied to a bureaucratic notion with 2,000 less in our budgets.	McCormick	out
Obviously the two-thirds vote override is the only protection we have against a too generous veto authority. Look into associated powers to check the executive authority to introduce legislation, special sessions and other related rules.	McCormick	out
Require a super majority vote (two-thirds) in order to raise the income or sales tax, or to expand the base of the sales tax. Feel free to expand on this to add any other taxes or fees to the listing requiring that vote, if you so desire.	Ziegelbauer	He has already submitted a constitutional amendment related to this proposal out
No member is allowed to memorialize Congress for any reason through an Assembly Resolution.	Foti	Good one. IN
Members should be required to wear coats on the Assembly floor	Jeskewitz	Wouldn't get enough votes?
Members should be in their chairs to vote, or at least at their places. <i>to start session as recorded as present and in chair = for initial roll call</i>	Jeskewitz	IN
Members must be at their places if the light says we are present.	Jeskewitz	note
Starting on time is so important. But if we cannot begin on time, perhaps a five-minute warning and then we start.	Jeskewitz	out
Calling a member to order in AR 58. It is not clear in AR 58 (3) "who should put in writing and when". This should be spelled out in 58(4). <i>to permit who requests</i>	Hahn	As currently written, it is ambiguous. Do we want to clarify this?
No Assembly Bill should be considered unless it has been reported from committee two weeks prior to adjournment, and no Senate Bill should be considered unless it has been reported from committee one week prior to adjournment. Obviously, emergency measures could be taken up with suspension of the rules.	Kreuser	↑ out
Abolish the rule giving the majority the ability to stop a member from speaking. A two-thirds vote could still cut off debate in bizarre circumstances	Kreuser	No
Prohibit public committee hearing's on LRB-numbered bills since they are not available to the public.	Kreuser	✓

NO
AR in
AJR
(in SJR)

Prohibit paper ballot voting. <i>7. NO PAPER BALLOTS ON ANY ASSEMBLY COMMITTEES.</i>	Kreuser	This is useful for Assembly Org.
Assembly Rule 54 on germaneness should be modified in a way similar to the Senate Rule to allow meaningful relevant changes.	Kreuser	Whatever he means by "meaningful relevant changes" would likely limit our power.
Items that would not require a fiscal note if introduced as separate bills should be banned from the budget.	Kreuser	We have stated publicly many times that we won't put policy in the budget. The Gov. and Senate are on board with excluding policy from the budget.
Restore the pulling motion to the 8 th order of business.	Kreuser	No
Require that all proposals be given a public hearing within 60 days after they are referred or re-referred to a committee. Proposals considered in special or extraordinary session do not require a hearing.	Saskunas/ Travis	This would limit our committee chair's power to hold up a bill.
Special Order of Business Language. There is not a rule authorizing a motion for a special order of business in the AR. However, we had special orders of business long before we ever had special order resolutions and some people seem to think that you can't have a special order of business without doing a resolution. The closest rule now is to postpone to a time certain.	Stigler/Piriot <i>no resolution but rule applying to resolution would apply to</i>	Without it, we have more flexibility. Maybe ok? <i>- can do by motion</i>
Because it is common practice for the Assembly to stand informal or to recess for a meeting of the committee on rules, an exception to AR 12 should be added for that purpose. Note: AR 12 currently states "Committees not to meet during daily session. Except for conference committees, a committee may not meet while the assembly is in session."	Stigler/Piriot <i>clarify that the rules can meet while assembly is in session</i>	What about "dipping" a proposal in finance?
AR 55(2) "Sequence of considering amendments." Clarify the language: May a simple to a sub be considered after the sub is adopted? Also, may a simple be considered to a simple after the underlying simple is adopted?	Stigler/Piriot	This doesn't come up often. We usually do allow it. Maybe a clarification makes sense?
AR 65(1) "Privileged and subsidiary motions and requests during debate." Change to make the motion to adjourn have the highest precedence (currently, a motion to adjourn is 3 rd and motion to adjourn to a fixed time is 4 th). Maybe a future ruling of the chair based on Mason's or Jefferson's will solve this issue. It is probably not desirable to have a long list of suspension motions made while we are trying to adjourn.	Stigler/Piriot	Makes sense.
AR 74(3) "Tabling" Last session a point of order was raised on SB 55 (the budget) on the question of whether you can table a suspension of the rules motion to immediately message. AR 74(3) says that you may not table "procedural motions." The term "procedural" is not defined in our rules - should we define it?	Stigler/Piriot	

amend 31(7)

Joe

you

Bob

you

you

<p>Add language in AR 73(2)(b) "Reconsidering." To also reconsider "failed to order to a third reading, failed to pass, failed to concur, failed to adopt." As written, a literal interpretation of the rule would not allow a motion to reconsider motions that failed.</p> <p><i>— Mr order of business</i></p>	Stigler/Pirlot	
<p>AR 73(9) Reconsidering. Insert "while the motion is pending" after 'proposal' and before 'which' for clarification. A strict reading of the rule as currently written could lead one to believe that, even after the reconsideration prevails, only one amendment may be offered and the amendment can only be offered by the maker of the reconsideration motion. According to John Scocos, the intent of the rule as written was to allow the clerk's staff to number and distribute a single amendment so that session would not be delayed by having to wait for the copying of the amendment after a motion for reconsideration prevailed. The rule should be clarified to reflect the intent that any number of amendments may be introduced after reconsideration prevails. This clarification would also be consistent with an earlier ruling by Freese.</p> <p>If changed, the rule would state: "When a motion to reconsider has been entered to return a proposal to the amendable stage, the maker of the motion, while the motion is pending, may offer one new amendment to that proposal, which shall be provided to the members."</p> <p><i>and made available to members before voting</i></p>	Stigler/Pirlot	This probably wouldn't hurt to change/clarify.
<p>Clarify AR 93(4) "Special, extended or extraordinary sessions" to read that in a special or extraordinary session, the bill gets referred to that day's calendar. As currently written, proposals are referred to the calendar 2 days out, but may still be taken up immediately.</p>	Stigler/Pirlot	Would it hurt us to clarify this?
<p>After consideration of all amendments, what happens if a bill is sent back to committee? Next time the bill is on the floor, must all amendments be considered again? Or, are they considered adopted beyond the reach of the committee?</p>	Stigler/Pirlot	Generally treated as starting over when sent back to committee. Do we want to commit ourselves to one procedure here?
<p>Uniform use of the term "session" Currently, it is used to mean at least 3 different things, depending on the context. For example, "session" means floor period in contrast to committee work period. It also refers to another part of a biennial session when modified by "regular," "special," "Extraordinary," or by "veto review." The Assembly Rules commonly use "in session" and often modify "session" by "daily" or to modify "day" to mean daily session or legislative day. As a result, there may be a difference between "in session" and "during session" depending on the context. "During session" may mean while the members are present on the floor or may mean the same as "in session"</p>	Stigler/Pirlot/ Dykman	
<p>Use the terms "actual day," "calendar day," and "legislative</p>		

day" consistently in the Assembly Rules, the Joint Rules and the Constitution.		
Fiscal Estimates. Add a rule to allow Fiscal Bureau to prepare a Fiscal Estimate, if requested.		This would be useful if the administration is holding up legislation by not providing a timely FE or a biased FE.

does this require a stat change?

if requested by presiding officer

(could ultimately be a SR)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1527/P1
RJM/JK:1/...

Fr 1-17

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2003 ASSEMBLY RESOLUTION

1

Gen. Cat.
Relating to: the assembly rules.

Analysis by the Legislative Reference Bureau

This resolution makes changes to the assembly rules as follows:

Memorializing Congress

This resolution prohibits the introduction or offering of any assembly joint resolution or resolution memorializing congress. The resolution also prohibits the assembly from formally receiving any message from the senate that refers to a senate joint resolution memorializing congress that is proposed initially for consideration of the assembly. The resolution requires each such senate joint resolution to be transmitted back to the senate immediately after the assembly refuses receipt of the message.

Calling a member to order

Currently, when a member is called to order for the alleged use of improper or disorderly language, the specific words to which exception has been taken must be put in writing to enable the presiding officer to better judge whether the words spoken were in violation of the assembly rules. This resolution clarifies that the member who questions the orderliness of the remarks must provide this written statement to the presiding officer.

Meetings of the rules committee during session days

Currently, the assembly rules prohibit any committee from meeting while the assembly is in session, except for a conference committee. This resolution also permits the assembly rules committee to meet while the assembly is in session.

Returning proposals to the amendable stage

Currently, the rules state that when a motion to reconsider is entered to return a proposal to the amendable stage, the maker of the motion may offer one new amendment to the proposal. This resolution specifies, instead, that while such a motion is pending, and thereafter if the motion prevails, any member may offer new amendments to the proposal.

Resolved by the assembly, That:

SECTION 1. Assembly rule 12 is amended to read:

ASSEMBLY RULE 12 **Committees not to meet during daily session.** Except for conference committees and the committee on rules, a committee may not meet while the assembly is in session.

SECTION 2. Assembly rule 32 (1) (a) is amended to read:

ASSEMBLY RULE 32 (1) (a) Messages Except as otherwise provided in this paragraph, messages from the senate or from the governor may be received and read, and any proposal referenced in the messages that is a senate proposal initially received for consideration of the assembly shall be referred and any other proposals referenced in the messages shall be taken up immediately unless referred by the presiding officer to a standing committee or to the calendar. Any messages from the senate referring to a senate joint resolution memorializing congress that is proposed initially for consideration of the assembly may be read but may not be received for consideration of the senate joint resolution.

SECTION 3. Assembly rule 39 (1) is amended to read:

ASSEMBLY RULE 39 (1) Except as otherwise provided in joint rule 83 (2) and this subsection, any member or standing committee may introduce or offer proposals in the assembly on any day of the biennial legislative session. No member or standing

INSERT
ANALYSIS

INSERT
2-5

INSERT 2-15

1 committee may introduce or offer any assembly joint resolution or resolution
2 memorializing congress.

3 SECTION 4. Assembly rule 41 (1) is amended to read:

4 ASSEMBLY RULE 41 (1) Except as further provided in subs. (2) and (3) and except
5 as otherwise provided in this subsection, any assembly joint resolution or resolution,
6 and any senate joint resolution received by the assembly for consideration, shall
7 receive a reading on each of 2 separate and nonconsecutive legislative days under the
8 appropriate order of business designated in rule 31. Unless otherwise ordered, each
9 reading shall consist of reading the relating clause in the resolution's title or on first
10 reading be as provided in rule 42 (2) or (3). This subsection does not apply to any
11 senate joint resolution which the assembly is prohibited from considering under rule
12 32 (1) (a).

13 SECTION 5. Assembly rule 43 (1) is amended to read:

14 ASSEMBLY RULE 43 (1) ~~Any~~ Except as otherwise provided in this subsection, any
15 resolution or joint resolution relating to the officers, members, former members,
16 procedures, or organization of the assembly or legislature is privileged in that it may
17 be offered under any order of business by a member who has the floor and may be
18 taken up immediately before all other proposals, unless referred by the presiding
19 officer to a standing committee or to the calendar. This subsection does not apply to
20 any resolution or joint resolution that a member is prohibited from introducing or
21 offering under rule 39 (1).

22 SECTION 6. Assembly rule 50 (1) is amended to read:

23 ASSEMBLY RULE 50 (1) Each proposal that passes or is adopted after a 3rd
24 reading, and each senate proposal adversely disposed of by the assembly, and each
25 senate joint resolution referred to in a message that the assembly is prohibited from

INSERT
4-5

32

1 receiving under rule 39 (1) (a) shall be transmitted, along with a certified report of
2 the assembly's action, to the senate immediately after failure of any motion to
3 reconsider the passage, adoption, or adverse disposition fails, as applicable, or the
4 expiration of the time for making the such a motion expires, together with a certified
5 report of the assembly's action.

6 SECTION 7. Assembly rule 58 (3) is amended to read:

7 ASSEMBLY RULE 58 (3) When the orderliness of remarks made by a member is
8 called to order for questioned under sub. (1) based on the alleged use of improper or
9 disorderly language, the member questioning the orderliness shall give the
10 presiding officer a written statement containing the specific words to which
11 exception has been taken shall be put in writing, thus enabling the presiding officer
12 better to be able to judge whether the words spoken were in violation of the assembly
13 rules.

14 SECTION 8. Assembly rule 73 (9) is amended to read:

15 ASSEMBLY RULE 73 (9) When a motion to reconsider has been entered to return
16 a proposal to the amendable stage, the maker of the motion while the motion is
17 pending, and thereafter if the motion prevails, any member may offer one new
18 amendment new amendments to that proposal, which shall be provided to the
19 members.

20 (END)

INSERT
4-19

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-15277dn

RJM14:...

PI
mg

Representative Foti:

that
Attached is the draft you requested concerning changes to the assembly rules. This draft is in preliminary form for your review. Once you approve the draft, we will convert it into introducible form. As you review the draft, please note the following items:

1. This draft amends Assembly Rule 39 (1) to prohibit introduction in the assembly of any joint resolution or resolution memorializing congress. To ensure that this prohibition is fully implemented, Joint Rule 83 (2) (a) should also be amended.
2. Please review the treatment of Assembly Rule 7³ (9). We made it absolutely clear that additional amendments may be offered both while a motion to return a proposal to the amendable stage is pending and thereafter, if the motion prevails.
3. This draft does not include any change to the use of paper ballots or any authorization for members to receive fiscal estimates from the legislative fiscal bureau. Please let us know whether you intend to include these provisions.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: robert.marchant@legis.state.wi.us

Joseph T. Kreye
Legislative Attorney
Phone: (608) 266-2263
E-mail: joseph.kreye@legis.state.wi.us

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1527/?insJK

JK:.....

INSERT ANALYSIS ✓

Recognizing or addressing a member

Under current assembly rules, while the members are on the assembly floor, the members may address each other only by either the number of the member's district or by the county or municipality in which the member resides. Under this resolution, the members may address each other only by the number of the member's district.

Special orders of business

Under current assembly rules, at any time after a proposal is placed on a calendar or referred to, introduced, or offered by the committee on rules, the committee may offer a resolution making the proposal a special order of business. Under this resolution, the committee on rules may also offer a motion making any such proposal a special order of business.

Motions for reconsideration

Under current assembly rules, under the ~~seventh~~ ^{3rd} order of business on a session day, the assembly may consider motions for reconsideration of passage, indefinite postponement, concurrence, or nonconcurrence. Under this resolution, under the ~~seventh~~ ^{7th} order of business on a session day, the assembly may also consider motions for reconsideration of ~~failed~~ ^{con} to order to a ~~third~~ ^{7th} reading, ~~failed~~ ^[ital] to pass, ~~failed~~ to concur, or ~~failed~~ to adopt. Failure

Proposals in special, extended, or extraordinary sessions

Under this resolution, for a day in which the assembly sits in special, extended, or extraordinary session, any proposals that are germane to such a session are referred to that day's calendar and may be taken up immediately.

Call of the roll

This resolution requires that all members who are present at the start of a session day be in their chairs for the call of the roll.

Written adjournment remarks

This resolution allows a member to submit to the chief clerk, to be included in the assembly journal, the member's written remarks related to adjourning the assembly in honor of a person or organization, to introduce an individual or group, or to mention that an individual or group ~~had~~ visited Madison.

END OF INSERT ANALYSIS

INSERT 2 - 5 ✓

- 1 SECTION 1. Assembly rule 30 (1) is amended to read:
- 2 CS Assembly Rule 30, ~~that of the roll morning~~ (1) The call of the roll to record
- 3 attendance shall be taken in the same manner as a roll call vote. All members who

1 are present shall be in their chairs for the call of the roll. A list of those present and
2 absent shall be entered in the journal. A member who arrives late may, with the
3 approval of the assembly, be recorded as present.

4 **SECTION 2.** Assembly rule 31 (7) is amended to read:

5 ^{CS} Assembly Rule 31 (7) ^{3rd} Seventh order. Consideration of motions for
6 reconsideration of passage, indefinite postponement, concurrence, or
7 nonconcurrence, ~~failed~~ to order to a ~~third~~ ^{3rd} reading, ~~failed~~ to pass, ~~failed~~ to concur, or
8 ~~failed~~ to adopt.

failure END OF INSERT 2 - 5

INSERT 2 - 15 ^(intro.)
^{are}

9 **SECTION 3.** Assembly rule 33 (intro.) and (1) ^{CS} is amended to read:

10 ^{CS} Assembly Rule 33. **Resolutions and motions for special orders of**
11 **business.** (intro.) At any time after a proposal is placed on a calendar or referred
12 to or introduced or offered by the committee on rules, that committee may offer a
13 resolution or motion making the proposal a special order of business at a time and
14 on a date specified in the resolution. A single resolution or motion may make several
15 proposals special orders of business.

16 ^(intro.) (1) Any such resolution or motion may limit the time for debate on the proposal
17 or proposals involved.

18 **SECTION 4.** Assembly rule 33 (1) (b) is amended to read:

19 ^{CS} Assembly Rule 33 (1) (b) ^g Within the time limits established by the resolution
20 or motion, the floor managers shall allocate debate time among the members of their
21 respective sides. The floor managers shall inform the presiding officer of the names
22 of members to be recognized in debate.

1 **SECTION 5.** Assembly rule 33 (2), (3), (4) ^{are} and (7) ^{are} amended to read:

2 ^{CS} Assembly Rule 33. (2) ^{are} A resolution or motion offered by the committee on rules
3 to make a proposal a special order of business is not amendable.

4 (3) Any resolution or motion offered by the committee on rules to make a
5 proposal a special order is privileged and may be received under any order of
6 business. Such a resolution or motion shall be taken up and acted upon immediately,
7 ahead of all other proposals. The question before the assembly is adoption of the
8 resolution or motion. The only other motion in order with regard to any such
9 resolution or motion is the motion to reject. Debate on the questions of adoption and
10 rejection is limited to 5 minutes each.

11 (4) Any special order created by adoption of a resolution or motion under this
12 rule shall be taken up at the time indicated in the resolution or motion or 12 hours
13 following its adoption, whichever is later. Any motion to reconsider an action on the
14 special order shall be taken up immediately unless a different time is set by vote of
15 a majority of the members present and voting for a specific motion to reconsider. The
16 motion to advance the proposal to its 3rd reading and the motion to message the
17 proposal to the other house may be adopted by a majority of the members present and
18 voting.

19 (7) If any bill that is introduced in the assembly or senate under section 227.19
20 (5) (e) or 227.26 (2) (f) of the statutes is not advanced to a 2nd reading within 40 days
21 after the date of referral to an assembly standing committee, the committee on rules
22 shall offer a resolution or motion to make the bill a special order of business. This
23 subsection does not apply if the bill is introduced within 40 days after the time at

1 which further proposals may not be introduced or offered in the regular session
2 under joint rule 83 (2).

END OF INSERT 2 - 15

INSERT 4 - 5 ✓

3 SECTION 6. Assembly rule 56 (1) is amended to read:

4 ^{CS} Assembly Rule 56 ~~Recognition~~ (1) Any member who desires to speak in
5 debate or submit any matter to the assembly shall rise in his or her assigned place
6 and respectfully address the presiding officer. Upon being recognized, the member
7 shall confine his or her remarks to the question before the assembly and shall avoid
8 personalities. A member may be recognized or addressed only by the number of the
9 member's district ~~or by the county or municipality in which the member resides.~~

END OF INSERT 4 - 5

INSERT 4 - 13 ✓

10 SECTION 7. Assembly rule 60 (2) is amended to read:

11 ^{CS} Assembly Rule 60 (2) ⁵ The limitations under sub. (1) do not apply to proposals
12 made a special order of business by the adoption of a resolution or a motion offered
13 by the committee on rules.

14 SECTION 8. Assembly rule 65 (1) (i) is amended to read:

15 ^{CS} Assembly Rule 65 (1) (i) ⁵ To offer and ask consideration of a privileged
16 resolution or to consider a proposal as a special order of business [rules 33 and 43].

17 SECTION 9. Assembly rule 73 (2) (b) is amended to read:

18 ^{CS} Assembly Rule 73 (2) (b) ⁵ For any decision other than passage, adoption,
19 concurrence, indefinite postponement, rejection, ~~or nonconcurrence~~, ~~to order~~
20 ^{3rd} to a ~~third~~ reading, ~~to pass~~, ~~to concur~~, or ~~to adopt~~, the motion for

failure

1 reconsideration shall be considered when the proposal is next regularly scheduled
2 for consideration.

END OF INSERT 4 - 13

INSERT 4 - 19 ✓

3 SECTION 10. Assembly rule 93 (4) is amended to read:

4 ^{CS} Assembly Rule 93 (4) [✓] All proposals shall be referred to ^{strike spaces} ~~a~~ the day's calendar and
5 may be taken up immediately. A calendar need not be provided.

6 SECTION 11. Assembly rule 99 is created to read:

7 ^{CS} Assembly Rule 99. **Written adjournment remarks.** (1) A member may file
8 with the chief clerk for inclusion in the journal, without obtaining the floor or using
9 a microphone, his or her written remarks made in conjunction with adjourning the
10 assembly in honor of a person or organization, to introduce an individual or group,
11 ^{to} or ^{to} mention that an individual or group [✓] ~~had~~ visited the capital city.

12 (2) The written remarks may not exceed 50 words.

END OF INSERT 4 - 19

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1527/P1dn
RJM:kmg:rs

January 16, 2003

Representative Foti:

Attached is the draft that you requested concerning changes to the assembly rules. This draft is in preliminary form for your review. Once you approve the draft, we will convert it into introducible form. As you review the draft, please note the following items:

1. This draft amends Assembly Rule 39 (1) to prohibit introduction in the assembly of any joint resolution or resolution memorializing Congress. To ensure that this prohibition is fully implemented, Joint Rule 83 (2) (a) should also be amended.
2. Please review the treatment of Assembly Rule 73 (9). We made it absolutely clear that additional amendments may be offered both while a motion to return a proposal to the amendable stage is pending and thereafter, if the motion prevails.
3. This draft does not include any change to the use of paper ballots or any authorization for members to receive fiscal estimates from the legislative fiscal bureau. Please let us know whether you intend to include these provisions.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: robert.marchant@legis.state.wi.us

1-22-03

1527/81

Bob Karius

PN

✓ — memorializing "federal government"

✓ — or some general term

keep from memorializing someone or something else

✓ 12 - AR 73/9

* may offer amendments but must offer before voting on reconsideration

✓ 8 section 17 of H bill

✓ 10 — delete the "and thereafter" clause

✓ delete change sec 16

✓ sec 3 AR 31/7

✓ delete change in sec 19

✓ amend "making and consideration of motions"
page 3 l 13

PN

3 - stop using paper ballots
for all standing committees

fiscal bureau — allow fiscal estimates from LFB
speaker or presiding officer to request — only

page 4

~~Sec 5~~ - AR 33 - delete change regarding
special order
& related changes.

~~Sec 7~~ - AR 33(2) motion by a member
old member

Dykman, Peter

From: Dykman, Peter
Sent: Monday, January 20, 2003 3:38 PM
To: Marchant, Robert; Kreye, Joseph
Subject: 03-1527/P1

As to AR 39 (1): page 4, line 3 and 4 "proposed initially for consideration by the assembly" should instead use the language from page 3, line 20 and 21 "senate proposal initially received for consideration of the assembly". The language of the resolution suggests that it was offered initially in the assembly.

page 5, line 24 delete "introduce or". Only bills are introduced. Amendments, resolution, and joint resolutions are offered.

Page 6, line 9 which should be that.

Page 6, delete lines 11 to 19. This rule does not relate in any way to Congress.

Page 6, lines 20 to 25 and page 7 lines 1 to 3. The added language should not be modified by the current language beginning with immediately. In addition, while the rule is titled messaging, the assembly rules have been put in order by Rep Freese according to a time line. AR 50 is not the time the chief clerk sends the SJR memorializing congress back to the senate. It could go in AR 5 or AR 32 (1)(a).



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1527/P1
RJM/JK:kmg:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2003 ASSEMBLY RESOLUTION

due thru
1-23-03
AM

re juv

- 1 **To amend** assembly rule 12, assembly rule 30 (1), assembly rule 31 (7), assembly
2 rule 32 (1) (a), assembly rule 33 (intro.) and (1) (intro.), assembly rule 33 (1) (b),
3 assembly rule 33 (2), (3), (4) and (7), assembly rule 39 (1), assembly rule 41 (1),
4 assembly rule 43 (1), assembly rule 50 (1), assembly rule 56 (1), assembly rule
5 58 (3), assembly rule 60 (2), assembly rule 65 (1) (i), assembly rule 73 (2) (b),
6 assembly rule 73 (9) and assembly rule 93 (4); and **to create** assembly rule 99;
7 **relating to:** the assembly rules.

Analysis by the Legislative Reference Bureau

This resolution makes changes to the assembly rules as follows:

Memorializing Congress

This resolution prohibits the introduction or offering of any assembly joint resolution or resolution memorializing Congress. The resolution also prohibits the assembly from ~~receiving any message from the senate that refers to a senate joint resolution memorializing Congress that is proposed initially for consideration of the assembly~~. The resolution requires each such senate joint resolution to be transmitted back to the senate immediately after the assembly ~~refuses receipt of the message~~.

referring to the senate joint resolution
is read read

or any branch of officer
the federal government

Calling a member to order

Currently, when a member is called to order for the alleged use of improper or disorderly language, the specific words to which exception has been taken must be put in writing to enable the presiding officer to better judge whether the words spoken were in violation of the assembly rules. This resolution clarifies that the member who questions the orderliness of the remarks must provide this written statement to the presiding officer.

Meetings of the rules committee during session days

2A
Currently, the assembly rules prohibit any committee from meeting while the assembly is in session, except for a conference committee. This resolution also permits the assembly rules committee to meet while the assembly is in session.

Returning proposals to the amendable stage

Currently, the rules state that, when a motion to reconsider is entered to return a proposal to the amendable stage, the maker of the motion may offer one new amendment to the proposal. This resolution specifies, instead, that while such a motion is pending, ~~and thereafter if the motion prevails,~~ any member may offer new amendments to the proposal *before the vote on the motion to reconsider*

Recognizing or addressing a member

Under current assembly rules, while the members are on the assembly floor, the members may address each other only by either the number of the member's district or by the county or municipality in which the member resides. Under this resolution, the members may address each other only by the number of the member's district.

Special orders of business

~~Under current assembly rules, at any time after a proposal is placed on a calendar or referred to, introduced, or offered by the committee on rules, the committee may offer a resolution making the proposal a special order of business. Under this resolution, the committee on rules may also offer a motion making any such proposal a special order of business.~~

Motions for reconsideration

Under current assembly rules, under the 7th order of business on a session day, the assembly may consider motions for reconsideration of passage, indefinite postponement, concurrence, or nonconcurrence. Under this resolution, under the 7th order of business on a session day, the assembly may also ~~consider motions for reconsideration of failure to order to a 3rd reading, failure to pass, failure to concur, or failure to adopt~~ *make reconsider such matter*

Proposals in special, extended, or extraordinary sessions

Under this resolution, for a day in which the assembly sits in special, extended, or extraordinary session, any proposals that are germane to such a session are referred to that day's calendar and may be taken up immediately.

Call of the roll

This resolution requires that all members who are present at the start of a session day be in their chairs for the call of the roll.

~~Written adjournment remarks~~

~~This resolution allows a member to submit to the chief clerk, to be included in the assembly journal, the member's written remarks related to adjourning the assembly in honor of a person or organization, to introduce an individual or group, or to mention that an individual or group visited Madison.~~

3B Resolved by the assembly, That:**SECTION 1. Assembly rule 12 is amended to read:**

3 ASSEMBLY RULE 12. **Committees not to meet during daily session.** Except
4 for conference committees and the committee on rules, a committee may not meet
5 while the assembly is in session.

SECTION 2. Assembly rule 30 (1) is amended to read:

7 ASSEMBLY RULE 30 (1) The call of the roll to record attendance shall be taken
8 in the same manner as a roll call vote. All members who are present shall be in their
9 chairs for the call of the roll. A list of those present and absent shall be entered in
10 the journal. A member who arrives late may, with the approval of the assembly, be
11 recorded as present.

SECTION 3. Assembly rule 31 (7) is amended to read:

13 ASSEMBLY RULE 31 (7) Seventh order. Consideration of motions for
14 reconsideration of passage, indefinite postponement, concurrence, or
15 nonconcurrence, failure to order to a 3rd reading, failure to pass, failure to concur,
16 or failure to adopt.

Making and consideration =
reconsider

SECTION 4. Assembly rule 32 (1) (a) is amended to read:

18 ASSEMBLY RULE 32 (1) (a) Messages Except as otherwise provided in this
19 paragraph, messages from the senate or from the governor may be received and read,
20 and any proposal referenced in the messages that is a senate proposal initially
21 received for consideration of the assembly shall be referred and any other proposals

*- 4 officer
or any branch or officer of the federal government*

1 referenced in the messages shall be taken up immediately unless referred by the
2 presiding officer to a standing committee or to the calendar. Any messages from the
3 senate referring to a senate joint resolution memorializing Congress that is proposed
4 initially for consideration of the assembly may be read but may not be received for
5 consideration of the senate joint resolution; *the senate joint resolution*

~~SECTION 5. Assembly rule 33 (intro.) and (1) (intro.) are amended to read:~~

7 **ASSEMBLY RULE 33. Resolutions and motions for special orders of**
8 **business.** (intro.) At any time after a proposal is placed on a calendar or referred
9 to or introduced or offered by the committee on rules, that committee may offer a
10 resolution or motion making the proposal a special order of business at a time and
11 on a date specified in the resolution. A single resolution or motion may make several
12 proposals special orders of business.

13 (1) (intro.) Any such resolution or motion may limit the time for debate on the
14 proposal or proposals involved.

15 **SECTION 6.** Assembly rule 33 (1) (b) is amended to read:

16 **ASSEMBLY RULE 33 (1) (b)** Within the time limits established by the resolution
17 or motion, the floor managers shall allocate debate time among the members of their
18 respective sides. The floor managers shall inform the presiding officer of the names
19 of members to be recognized in debate.

20 **SECTION 7.** Assembly rule 33 (2), (3), (4) and (7) are amended to read:

21 **ASSEMBLY RULE 33 (2)** A resolution or motion offered by the committee on rules
22 to make a proposal a special order of business is not amendable.

23 (3) Any resolution or motion offered by the committee on rules to make a
24 proposal a special order is privileged and may be received under any order of
25 business. Such a resolution or motion shall be taken up and acted upon immediately.

1 ahead of all other proposals. The question before the assembly is adoption of the
2 resolution or motion. The only other motion in order with regard to any such
3 resolution or motion is the motion to reject. Debate on the questions of adoption and
4 rejection is limited to 5 minutes each.

5 (4) Any special order created by adoption of a resolution or motion under this
6 rule shall be taken up at the time indicated in the resolution or motion or 12 hours
7 following its adoption, whichever is later. Any motion to reconsider an action on the
8 special order shall be taken up immediately unless a different time is set by vote of
9 a majority of the members present and voting for a specific motion to reconsider. The
10 motion to advance the proposal to its 3rd reading and the motion to message the
11 proposal to the other house may be adopted by a majority of the members present and
12 voting.

13 (7) If any bill that is introduced in the assembly or senate under section 227.19
14 (5) (e) or 227.26 (2) (f) of the statutes is not advanced to a 2nd reading within 40 days
15 after the date of referral to an assembly standing committee, the committee on rules
16 shall offer a resolution or motion to make the bill a special order of business. This
17 subsection does not apply if the bill is introduced within 40 days after the time at
18 which further proposals may not be introduced or offered in the regular session
19 under joint rule 83 (2).

20 SECTION 8. Assembly rule 39 (1) is amended to read:

21 ASSEMBLY RULE 39 (1) Except as otherwise provided in joint rule 83 (2) and this
22 subsection, any member or standing committee may introduce or offer proposals in
23 the assembly on any day of the biennial legislative session. No member or standing
24 committee may introduce or offer any assembly joint resolution or resolution
25 memorializing Congress

*or any branch or officer of the
federal government*

1 **SECTION 9.** Assembly rule 41 (1) is amended to read:

2 **ASSEMBLY RULE 41 (1)** Except as further provided in subs. (2) and (3) and except
3 as otherwise provided in this subsection, any assembly joint resolution or resolution,
4 and any senate joint resolution received by the assembly for consideration, shall
5 receive a reading on each of 2 separate and nonconsecutive legislative days under the
6 appropriate order of business designated in rule 31. Unless otherwise ordered, each
7 reading shall consist of reading the relating clause in the resolution's title or on first
8 reading be as provided in rule 42 (2) or (3). This subsection does not apply to any
9 senate joint resolution which the assembly is prohibited from considering under rule
10 32 (1) (a). *→ that*

11 **SECTION 10.** Assembly rule 43 (1) is amended to read:

12 **ASSEMBLY RULE 43 (1)** ~~Any Except as otherwise provided in this subsection, any~~
13 ~~resolution or joint resolution relating to the officers, members, former members,~~
14 ~~procedures, or organization of the assembly or legislature is privileged in that it may~~
15 ~~be offered under any order of business by a member who has the floor and may be~~
16 ~~taken up immediately before all other proposals, unless referred by the presiding~~
17 ~~officer to a standing committee or to the calendar. This subsection does not apply to~~
18 ~~any resolution or joint resolution that a member is prohibited from introducing or~~
19 ~~offering under rule 39 (1).~~

20 **SECTION 11.** Assembly rule 50 (1) is amended to read:

21 **ASSEMBLY RULE 50 (1)** Each proposal that passes or is adopted after a 3rd
22 reading, ^{or plain} ~~and~~ each senate proposal adversely disposed of by the assembly, ~~and each~~
23 ~~senate joint resolution referred to in a message that the assembly is prohibited from~~
24 ~~receiving under rule 32 (1) (a), shall be transmitted, along with a certified report of~~
25 ~~the assembly's action, to the senate immediately after failure of any motion to~~

1 reconsider the passage, adoption, or adverse disposition fails, as applicable, or the
2 expiration of the time for making the such a motion ~~expires, together with a certified~~
3 ~~report of the assembly's action.~~

4 **SECTION 12.** Assembly rule 56 (1) is amended to read:

5 ASSEMBLY RULE 56 (1) Any member who desires to speak in debate or submit
6 any matter to the assembly shall rise in his or her assigned place and respectfully
7 address the presiding officer. Upon being recognized, the member shall confine his
8 or her remarks to the question before the assembly and shall avoid personalities. A
9 member may be recognized or addressed only by the number of the member's district
10 ~~or by the county or municipality in which the member resides.~~

11 **SECTION 13.** Assembly rule 58 (3) is amended to read:

12 ASSEMBLY RULE 58 (3) When the orderliness of remarks made by a member is
13 ~~called to order for~~ questioned under sub. (1) based on the alleged use of improper or
14 disorderly language, the member questioning the orderliness shall give the
15 presiding officer a written statement containing the specific words to which
16 exception has been taken ~~shall be put in writing,~~ thus enabling the presiding officer
17 better to be able to judge whether the words spoken were in violation of the assembly
18 rules.

19 ~~**SECTION 14.** Assembly rule 60 (2) is amended to read:~~

20 ~~ASSEMBLY RULE 60 (2) The limitations under sub. (1) do not apply to proposals~~
21 ~~made a special order of business by the adoption of a resolution or a motion offered~~
22 ~~by the committee on rules.~~

23 ~~**SECTION 15.** Assembly rule 65 (1) (i) is amended to read:~~

24 ~~ASSEMBLY RULE 65 (1) (i) To offer and ask consideration of a privileged~~
25 ~~resolution or to consider a proposal as a special order of business [rules 33 and 43].~~

~~SECTION 16. Assembly rule 73 (2) (b) is amended to read:~~

~~ASSEMBLY RULE 73 (2) (b) For any decision other than passage, adoption, concurrence, indefinite postponement, rejection, or nonconcurrence, failure to order to a 3rd reading, failure to pass, failure to concur, or failure to adopt, the motion for reconsideration shall be considered when the proposal is next regularly scheduled for consideration.~~

SECTION 17. Assembly rule 73 (9) is amended to read:

ASSEMBLY RULE 73 (9) When a motion to reconsider has been entered to return a proposal to the amendable stage, ~~the maker of the motion while the motion is pending, and thereafter if the motion prevails,~~ any member may offer ~~one new amendment~~ new amendments to that proposal, ~~which~~ shall be provided to the members. *before the vote on the motion to reconsider. Any such new amendments*

SECTION 18. Assembly rule 93 (4) is amended to read:

ASSEMBLY RULE 93 (4) All proposals shall be referred to ~~a~~ the day's calendar and may be taken up immediately. A calendar need not be provided.

~~SECTION 19. Assembly rule 99 is created to read.~~

~~ASSEMBLY RULE 99. **Written adjournment remarks.** (1) A member may file with the chief clerk for inclusion in the journal, without obtaining the floor or using a microphone, his or her written remarks made in conjunction with adjourning the assembly in honor of a person or organization, to introduce an individual or group, or to mention that an individual or group visited the capital city.~~

~~(2) The written remarks may not exceed 50 words.~~

(END)

8A

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1527/lins
RJM/JK/PJD:.....

JANUARY 22, 2003

2A ✓
Votes in committee

Currently, the rules require all committee votes to be taken in the presence of the committee and prohibit a member from being recorded as voting unless the member is present at the committee session when the vote is taken. The rule does not apply to the committee on assembly organization or the joint committee on legislative organization. This resolution applies the rule to the assembly committee on organization and exempts from the rule all joint committees.

3A ✓
Fiscal estimates by legislative fiscal bureau

This resolution permits the speaker ✓ or presiding officer to request the legislative fiscal bureau to prepare an original fiscal estimate on a bill if the officer believes that the state agency assigned to prepare the estimate will not complete it in time for legislative action. (speaker or)

1
2 ✓
SECTION 1. Assembly rule 11 (4) is amended to read:

3B
4 ASSEMBLY RULE 11 (4) All committee votes shall be taken in the presence of the
5 committee. A member may not be recorded as voting unless the member is present
6 at the committee session when the vote is taken. This subsection does not apply to
7 the committee on assembly organization, to the a joint committee on legislative
8 organization, or to the joint legislative council.

7
8
SECTION 2. Assembly rule 99 is created to read:

8A
9 ASSEMBLY RULE 99. **Fiscal estimates.** (1) The speaker or presiding officer may
10 request from the legislative fiscal bureau an original fiscal estimate on a bill if the
11 speaker or presiding officer believes that a fiscal estimate on the bill will not be
12 completed by the state agency assigned to prepare the fiscal estimate before the bill
13 receives a public hearing, is voted on by an assembly standing committee, or is
14 considered by the assembly.

14 (2) An original fiscal estimate prepared under sub. (1) shall be submitted to the
15 legislative reference bureau for review by the requester under joint rule 48 ✓ and for

BA Carl

1 reproduction and insertion in the bill jacket envelope. The fiscal estimate, however,
2 may not be reproduced or inserted if the fiscal estimate prepared by the state agency
3 is available for reproduction and insertion before the fiscal estimate prepared under
4 sub. (1).

5 (3) Unless otherwise determined by the assembly, failure to receive a fiscal
6 estimate requested under sub. (1) on a bill that already has one or more original fiscal
7 estimates does not delay consideration of the bill. Unless otherwise determined by
8 the assembly, failure to receive a fiscal estimate requested other than under sub. (1)
9 on a bill that already has one or more original fiscal estimates requested under sub.
10 (1) does not delay consideration of the bill.

4A

shall be transmitted to
the senate immediately after the
message is read



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1527/1
RJM/JK/PJD:kmg:cph

2003 ASSEMBLY RESOLUTION

1 **To amend** assembly rule 11 (4), assembly rule 12, assembly rule 30 (1), assembly
2 rule 31 (7), assembly rule 32 (1) (a), assembly rule 39 (1), assembly rule 41 (1),
3 assembly rule 50 (1), assembly rule 56 (1), assembly rule 58 (3), assembly rule
4 73 (9) and assembly rule 93 (4); and **to create** assembly rule 99; **relating to:**
5 the assembly rules.

Analysis by the Legislative Reference Bureau

This resolution makes changes to the assembly rules as follows:

Memorializing Congress

This resolution prohibits the introduction or offering of any assembly joint resolution or resolution memorializing Congress or any branch or officer of the federal government. The resolution also prohibits the assembly from receiving a senate joint resolution memorializing Congress or any branch or officer of the federal government. The resolution requires each such senate joint resolution to be transmitted back to the senate immediately after the message referring to the senate joint resolution is read.

Calling a member to order

Currently, when a member is called to order for the alleged use of improper or disorderly language, the specific words to which exception has been taken must be put in writing to enable the presiding officer to better judge whether the words spoken were in violation of the assembly rules. This resolution clarifies that the member who questions the orderliness of the remarks must provide this written statement to the presiding officer.

Meetings of the rules committee during session days

Currently, the assembly rules prohibit any committee from meeting while the assembly is in session, except for a conference committee. This resolution also permits the assembly rules committee to meet while the assembly is in session.

Votes in committee

Currently, the rules require all committee votes to be taken in the presence of the committee and prohibit a member from being recorded as voting unless the member is present at the committee session when the vote is taken. The rule does not apply to the committee on assembly organization or the joint committee on legislative organization. This resolution applies the rule to the assembly committee on organization and exempts from the rule all joint committees.

Returning proposals to the amendable stage

Currently, the rules state that, when a motion to reconsider is entered to return a proposal to the amendable stage, the maker of the motion may offer one new amendment to the proposal. This resolution specifies, instead, that while such a motion is pending any member may offer new amendments to the proposal before the vote on the motion to reconsider.

Recognizing or addressing a member

Under current assembly rules, while the members are on the assembly floor, the members may address each other only by either the number of the member's district or by the county or municipality in which the member resides. Under this resolution, the members may address each other only by the number of the member's district.

Motions for reconsideration

Under current assembly rules, under the 7th order of business on a session day, the assembly may consider motions for reconsideration of passage, indefinite postponement, concurrence, or nonconcurrence. Under this resolution, under the 7th order of business on a session day, the assembly may also make motions to reconsider such matters.

Proposals in special, extended, or extraordinary sessions

Under this resolution, for a day in which the assembly sits in special, extended, or extraordinary session, any proposals that are germane to such a session are referred to that day's calendar and may be taken up immediately.

Call of the roll

This resolution requires that all members who are present at the start of a session day be in their chairs for the call of the roll.

Fiscal estimates by legislative fiscal bureau

This resolution permits the speaker or presiding officer to request the legislative fiscal bureau to prepare an original fiscal estimate on a bill if the speaker or officer believes that the state agency assigned to prepare the estimate will not complete it in time for legislative action.

1 **SECTION 1** Assembly rule 11 (4) is amended to read:

2 ASSEMBLY RULE 11 (4) All committee votes shall be taken in the presence of the
3 committee. A member may not be recorded as voting unless the member is present
4 at the committee session when the vote is taken. This subsection does not apply to
5 ~~the committee on assembly organization, to the~~ a joint committee on legislative
6 organization, or to the joint legislative council.

7 **SECTION 2.** Assembly rule 12 is amended to read:

8 ASSEMBLY RULE 12. **Committees not to meet during daily session.** Except
9 for conference committees and the committee on rules, a committee may not meet
10 while the assembly is in session.

11 **SECTION 3.** Assembly rule 30 (1) is amended to read:

12 ASSEMBLY RULE 30 (1) The call of the roll to record attendance shall be taken
13 in the same manner as a roll call vote. All members who are present shall be in their
14 chairs for the call of the roll. A list of those present and absent shall be entered in
15 the journal. A member who arrives late may, with the approval of the assembly, be
16 recorded as present.

17 **SECTION 4.** Assembly rule 31 (7) is amended to read:

18 ASSEMBLY RULE 31 (7) Seventh order. ~~Consideration~~ Making and consideration
19 of motions for reconsideration of passage, indefinite postponement, concurrence, or
20 nonconcurrence.

21 **SECTION 5.** Assembly rule 32 (1) (a) is amended to read:

22 ASSEMBLY RULE 32 (1) (a) ~~Messages~~ Except as otherwise provided in this
23 paragraph, messages from the senate or from the governor may be received and read,
24 and any proposal referenced in the messages that is a senate proposal initially
25 received for consideration of the assembly shall be referred and any other proposals

1 referenced in the messages shall be taken up immediately unless referred by the
2 presiding officer to a standing committee or to the calendar. Any messages from the
3 senate referring to a senate joint resolution memorializing Congress or any branch
4 or officer of the federal government that is received for consideration of the assembly
5 may be read but the senate joint resolution may not be received for consideration.
6 The senate joint resolution shall be transmitted to the senate immediately after the
7 message is read;

8 **SECTION 6.** Assembly rule 39 (1) is amended to read:

9 ASSEMBLY RULE 39 (1) Except as otherwise provided in joint rule 83 (2) and this
10 subsection, any member or standing committee may introduce or offer proposals in
11 the assembly on any day of the biennial legislative session. No member or standing
12 committee may offer any assembly joint resolution or resolution memorializing
13 Congress or any branch or officer of the federal government.

14 **SECTION 7.** Assembly rule 41 (1) is amended to read:

15 ASSEMBLY RULE 41 (1) Except as further provided in subs. (2) and (3) and except
16 as otherwise provided in this subsection, any assembly joint resolution or resolution,
17 and any senate joint resolution received by the assembly for consideration, shall
18 receive a reading on each of 2 separate and nonconsecutive legislative days under the
19 appropriate order of business designated in rule 31. Unless otherwise ordered, each
20 reading shall consist of reading the relating clause in the resolution's title or on first
21 reading be as provided in rule 42 (2) or (3). This subsection does not apply to any
22 senate joint resolution that the assembly is prohibited from considering under rule
23 32 (1) (a).

24 **SECTION 8.** Assembly rule 50 (1) is amended to read:

1 ASSEMBLY RULE 50 (1) Each proposal that passes or is adopted after a 3rd
2 reading, and each senate proposal adversely disposed of by the assembly, shall be
3 transmitted, along with a certified report of the assembly's action, to the senate
4 immediately after failure of any motion to reconsider the passage, adoption, or
5 adverse disposition fails, as applicable, or the expiration of the time for making the
6 such a motion expires, together with a certified report of the assembly's action.

7 **SECTION 9.** Assembly rule 56 (1) is amended to read:

8 ASSEMBLY RULE 56 (1) Any member who desires to speak in debate or submit
9 any matter to the assembly shall rise in his or her assigned place and respectfully
10 address the presiding officer. Upon being recognized, the member shall confine his
11 or her remarks to the question before the assembly and shall avoid personalities. A
12 member may be recognized or addressed only by the number of the member's district
13 ~~or by the county or municipality in which the member resides.~~

14 **SECTION 10.** Assembly rule 58 (3) is amended to read:

15 ASSEMBLY RULE 58 (3) When the orderliness of remarks made by a member is
16 ~~called to order for questioned under sub. (1) based on the alleged~~ use of improper or
17 disorderly language, the member questioning the orderliness shall give the
18 presiding officer a written statement containing the specific words to which
19 exception has been taken ~~shall be put in writing~~, thus enabling the presiding officer
20 better to be able to judge whether the words spoken were in violation of the assembly
21 rules.

22 **SECTION 11.** Assembly rule 73 (9) is amended to read:

23 ASSEMBLY RULE 73 (9) When a motion to reconsider has been entered to return
24 a proposal to the amendable stage, ~~the maker of the motion while the motion is~~
25 pending, any member may offer ~~one new amendment~~ new amendments to that

1 proposal, ~~which before the vote on the motion to reconsider.~~ Any such new
2 amendments shall be provided to the members.

3 **SECTION 12.** Assembly rule 93 (4) is amended to read:

4 **ASSEMBLY RULE 93 (4)** All proposals shall be referred to ~~a~~ the day's calendar
5 and may be taken up immediately. A calendar need not be provided.

6 **SECTION 13.** Assembly rule 99 is created to read:

7 **ASSEMBLY RULE 99. Fiscal estimates.** (1) The speaker or presiding officer may
8 request from the legislative fiscal bureau an original fiscal estimate on a bill if the
9 speaker or presiding officer believes that a fiscal estimate on the bill will not be
10 completed by the state agency assigned to prepare the fiscal estimate before the bill
11 receives a public hearing, is voted on by an assembly standing committee, or is
12 considered by the assembly.

13 (2) An original fiscal estimate prepared under sub. (1) shall be submitted to the
14 legislative reference bureau for review by the requester under joint rule 48 and for
15 reproduction and insertion in the bill jacket envelope. The fiscal estimate, however,
16 may not be reproduced or inserted if the fiscal estimate prepared by the state agency
17 is available for reproduction and insertion before the fiscal estimate prepared under
18 sub. (1).

19 (3) Unless otherwise determined by the assembly, failure to receive a fiscal
20 estimate requested under sub. (1) on a bill that already has one or more original fiscal
21 estimates does not delay consideration of the bill. Unless otherwise determined by
22 the assembly, failure to receive a fiscal estimate requested other than under sub. (1)
23 on a bill that already has one or more original fiscal estimates requested under sub.
24 (1) does not delay consideration of the bill.

25 **(END)**